

**Town of Fenwick Island
Minutes of the Charter & Ordinance Committee Meeting
September 1, 2009**

*Approved
10/06/2009*

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Gene Langan, Vicki Carmean, Winnie Lewis, Audrey Serio, Todd Smallwood, Win Abbott and Pat Schuchman.

Absent: Buzz Henifin

Public Attendance: Mike Quinn, Diane Tingle

Minutes:

- Vicki Carmean made a motion to approve the minutes of August 11, 2009 seconded by Gene Langan.

Discussion of Ordinances Under Review:

- Bill Weistling advised there is nothing currently under review to discuss.
- A proposed amendment to Chapter 95 (Hazardous Materials) has not yet been prepared, will consult with Bethany Beach code.

Codebook Updates:

- Proposed changes to Chapter 102 (Lighting) submitted by Vicki and Buzz (Environmental Committee – E.C.) were discussed and the chapter was reviewed in its entirety.
- Chapter 102 consists of Article I (General Lighting Regulations) and Article II (Lighting in Residential Zone.) The two articles will be combined to include regulations applicable to both the Commercial and Residential Zones.
- §102-1 (Purpose) – The submittal from E.C. basically says the same thing as what is currently in the code, however, it was agreed to amend this chapter using some suggestions which will simplify interpretation.
- §102-2 (Conformance with applicable regulations) and §102-16 (General Provisions) will be combined and renamed “General Provisions” – Section A will be replaced with recommendations using General Provisions “A” from submittal from E.C.
- §102-3 – okay as is.
- §102-4 & §102-15 (Definitions) – Definitions from Articles I & II will be combined into one section in Chapter 102.
- “Indoor Light”, “Installed” and “Window” will be eliminated. Definition for “Person” will remain.
- “Outdoor Light Fixtures” definition will be changed from “outdoor electrically powered illuminating devices” to “outdoor illuminating devices” and items A thru H will be removed.

- §102-5 (Shielding required) and §102-6 (Filtration required) will be combined into one section.
- §102-7 – remove.
- §102-8 (Submission of plans) – Pat will review and report back to committee.
- §102-9 (Prohibitions) – Items “B” and “C” will still prohibit “Laser source light” and “Searchlights” but existing additional verbiage will be removed.
- §102-10 (Temporary exemptions) and §102-19 (Exceptions) will be combined.
- §102-11 (Other exemptions) – will check with Tempe on grandfathering clause.
- §102-12 (Appeals) – will check with Tempe.
- §102-13 & §102-20 (Violations) will be combined and will be located at end of chapter. Fines will be \$100 per day.
- §102-14 (Applicability; severability) – will check with Tempe
- §102-17 (Prohibitions) - remove
- §102-18 (Restrictions on Use) – remove.
- Beach Concessions – First Readings of amendments to Chapter 100 (Licensing) and Chapter 116 (Peace and Good Order) to allow beach concessions were approved at the last Town Council meeting.
- Win stated he submitted a feasibility analysis to Town Council and suggested that a policy for beach concession approval be made by Resolution rather than being by ordinance. Win has already spoken with Tom Sombar who found it would be okay to implement concessions at Town Council discretion. He will consult further with Tempe.

Comprehensive Plan:

- Winnie Lewis commented that each C&O meeting continues to address the goals of the Planning Commission. The next Planning Committee meeting will discuss long range goals and submit these recommendations to the C&O Committee.

Next Meeting:

- Next meeting – October 6, 2009
- Discussions planned will be:
 - Codebook Updates (Chapter 100 – Lighting – continue discussion)
 - Chapter 107 (Noise)

Adjourn:

- Vicki Carmean made a motion to adjourn the meeting, seconded by Todd Smallwood. The meeting was adjourned at 10:55 a.m.